



US Army Corps  
of Engineers  
Alaska District

# Public Notice of Application for Permit

Regulatory Branch (1145)  
CEPOA-CO-R  
Post Office Box 6898  
Elmendorf AFB, Alaska 99506-0898

PUBLIC NOTICE DATE: December 13, 2006

EXPIRATION DATE: January 12, 2006

REFERENCE NUMBER: POA-1997-210-M

WATERWAY: Passage Canal

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: City of Whittier (Mr. Mark Earnest, City Manager) Post Office Box 608, Whittier, Alaska 99693.

AGENT: PND Engineering, Inc., (Mr. John Pickering) 1506 West 36<sup>th</sup> Avenue, Anchorage, Alaska 99503, (907) 561-1011.

LOCATION: The proposed project is located within section 14, T. 8 N., R. 4 E., Seward Meridian; Latitude 60.777° N., Longitude 148.690° W.; Whittier Small Boat Harbor, in Whittier, Alaska.

PURPOSE: The existing small boat harbor float system and boat launches are in need of replacement and new floats are required to safely berth the existing vessels.

WORK: The proposed Whittier Small Boat Harbor Improvements project would consist of removing and replacing the harbors floats and float piles; reducing the number of gangways from two to one; removing the West Harbor Launch Ramp; and, reconfiguring the East Harbor Launch Ramp to increase capacity. A total of 150 galvanized steel piles would replace the treated wood piles (including ten 18-inch diameter piles, 30 16-inch diameter piles and 120 12.75-inch diameter piles).

Access and Main Head Walk Float: Place a new 9- by 80-foot access gangway with a 38- by 42-foot gangway landing to access a proposed 10- by 950-foot main head walk float. A total of 28 4- by 28-foot finger floats would be attached to the main head walk float (16 in the West Harbor and 12 in the East Harbor) and two 8- by 69-foot access would be attached to the gangway landing to access floats "H" and "J".

West Harbor: Remove the existing concrete and timber floats and replace with three main floats designated as Floats "A" through "C" and one Float "H" system. The new floats would be anchored in place with galvanized steel piles.

Float A: A 12- by 225-foot concrete and timber main float.

Float B: An 8- by 270-foot timber main float with five 6- by 54-foot and six 5- by 46-foot finger floats.

Float C: An 8- by 325-foot timber main float with seven 5- by 48-foot and eight four 4- by 40-foot finger floats.

Float H: A combination of a 6- by 168-foot main float segment with an 8- by 90-foot main float segment both comprised of renovated existing concrete floats with nineteen 3- by 24-foot finger floats.

East Harbor: Remove the existing concrete and timber floats and replace with four main floats designated Floats "D" through "G" and one Float "J" system. The new timber floats would be anchored in place with galvanized steel piles.

Float D: An 8- by 340-foot main float with eight 4- by 40-foot and nine 4- by 36-foot finger floats.

Float E: An 8- by 310-foot main float with eight 4- by 36-foot and nine 4- by 32-foot finger floats.

Float F: An 8- by 280-foot main float with eight 4- by 32-foot and eight 4- by 30-foot finger floats.

Float G: An 8- by 240-foot main float with seven 4- by 30-foot and eight 4- by 28-foot finger floats.

Float J: A 6- by 384-foot main float comprised of renovated concrete floats with sixteen 3- by 24-foot finger floats.

Harbor Basin: Place a 1,000-foot long open cell sheet pile retaining wall along the south side of the harbor. Once the sheet piles are driven the slope on the south side of the harbor basin would be dredged to -12 feet mean lower low water (MLLW, 0.0-foot elevation) removing approximately 40,000 cubic yards of material. A total of 8,500 cubic yards of fill would be placed to fill behind the sheet pile cells. Additionally geotextile fabric overlain by 1,000 cubic yards of rip rap would be placed at the ends of the retaining wall below, the high tide line, to protect the exposed basin slopes. This activity would increase the overall acreage of the harbor basin accommodating placement of the proposed "H" and "J" Float systems.

East Launch Ramp: Replace the existing two-lane East Launch Ramp with a three-lane ramp. The new three-lane ramp would consist of concrete planks fastened to treated timber sleepers located from +20.0 to -3.0 feet MLLW. The concrete ramp would measure 64- by 178 feet (with one 32-foot wide double lane and one 18-foot wide single lane). Placement of the ramp would require the discharge of 100 cubic yards of shot rock and 500 cubic yards of rip rap and the dredging of 4,000 cubic yards from the harbor basin. Two 7- by 260-foot timber berthing/loading floats would be located at the ramp and held in place by driven steel piles. To accommodate the expansion of the ramp existing rip rap would be removed from the eastern basin slope, then necessary fill material excavated, contoured, and overlain with geotextile fabric, then the rip rap material would be replaced.

ADDITIONAL INFORMATION: The proposed float layout reduces the overall number of vessel slips from 330 to 323; however, the proposed dimensions of the individual slips more closely accommodate the actual distribution of vessel sizes that use the harbor. Additionally, the harbor currently has four boat launch ramps with two lanes at each the West and East Harbors. Due to the limited ability to use the West Harbor ramp due to tidal constraints and poor conditions, the ramp would be eliminated with this proposal.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Project Management and Permitting, Department of Natural Resources has concurred with the applicant's certification.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between the Federal government and Federally recognized Tribes. This notice invites participation by agencies, Tribes, and members of the public in the Federal decision-making process. In addition, Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Engineer during the public comment period.

ENDANGERED SPECIES: Preliminarily, the described activity will not affect threatened or endangered species, or modify their designated critical habitat, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. et seq and associated federal regulations found at 50 CFR 600 Subpart K. EFH, including Habitat Areas of Particular Concern (HAPC), in the Alaska District are described for species managed under a federal Fishery Management Plans. We have reviewed the National Marine Fisheries Service (NMFS) and North Pacific Fishery Management Council's Final Environmental Impact Statement for Essential Fish Habitat Identification and Conservation in Alaska (April 2005) to locate and identify EFH in the vicinity of the proposed action. We have also reviewed the NMFS Environmental Assessment/Regulatory Impact Review/Regulatory Flexibility Analysis for Amendments 65/65/112/7/8 to the Bering Sea Aleutian Islands Groundfish Fishery Management Plan (#65), Gulf of Alaska Groundfish Fishery Management Plan (#65), Bering Sea Aleutian Islands Crab Fishery Management Plan (#12), Scallop Fishery Management Plan (#7), and the Salmon Fishery Management Plan (#8) and Regulatory Amendments to Provide Habitat Areas of Particular Concern (April 2006) to locate and identify HAPC in the vicinity of the proposed action. We have determined that the described activity within the proposed area will not adversely affect EFH, and will not adversely affect HAPC because the site is located within the existing Whittier Small Boat Harbor. This Public Notice initiates consultation requirements with the NMFS under the MSFCMA. We have insufficient information at this time to assess the cumulative effects of the proposed work on EFH, but cumulative effects will be considered in our final assessment of the described work. Any conservation recommendations regarding EFH for federally managed fish will also be considered in our final assessment of the described work.

SPECIAL AREA DESIGNATION: None.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The outcome of the general balancing process would determine whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Ms. Serena Sweet at (907) 753-2712, toll free from within Alaska at (800) 478-2712, or by email at serena.e.sweet@poa02.usace.army.mil if further information is desired concerning this notice.

AUTHORITY: This permit will be issued or denied under the following authorities:

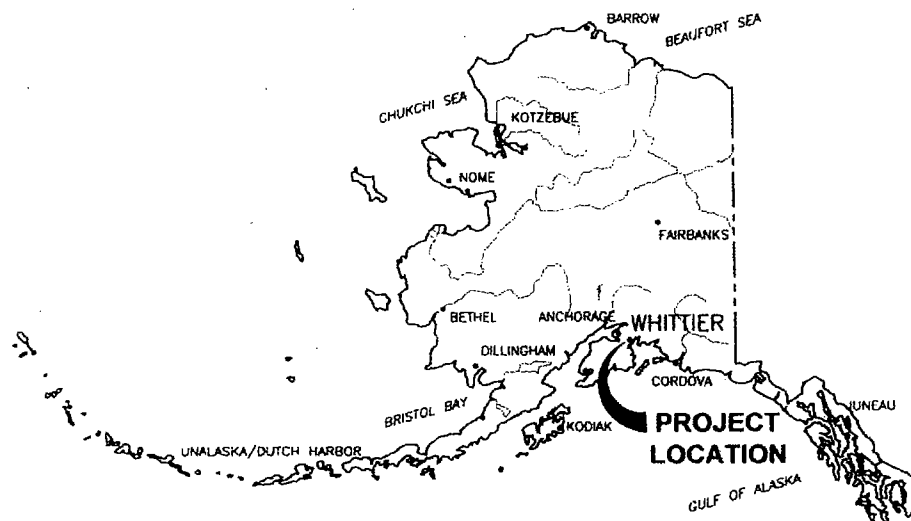
(X) Perform work in or affecting navigable waters of the United States - Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

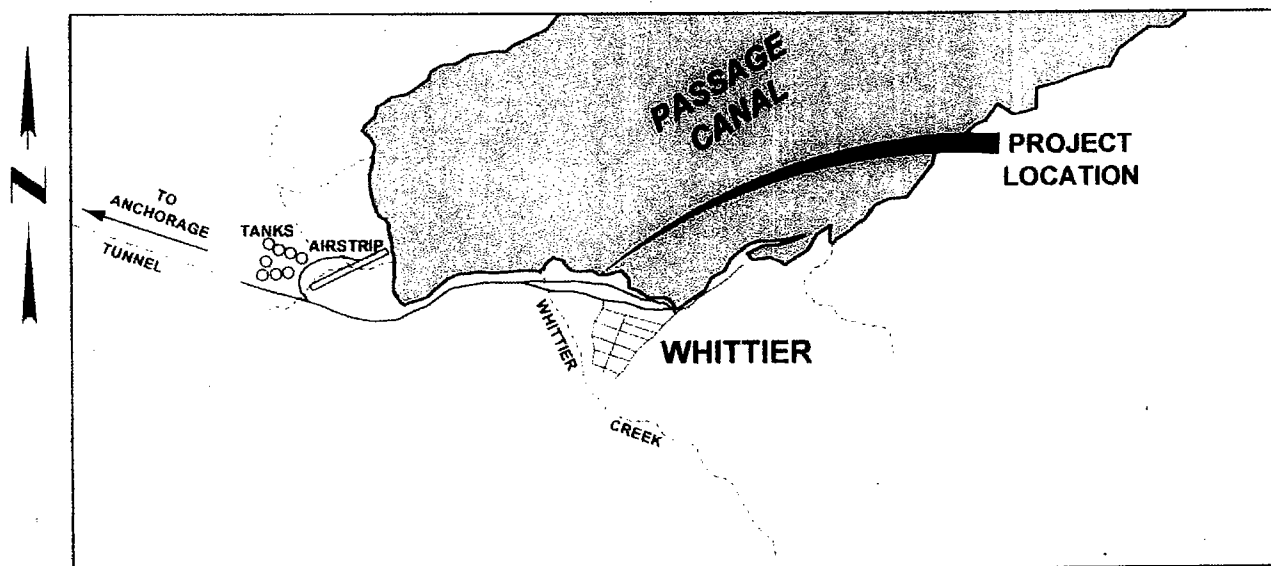
A plan, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer  
U.S. Army, Corps of Engineers

Attachments



## STATE OF ALASKA



## WHITTIER VICINITY

PURPOSE:  
TO REPLACE THE EXISTING  
HARBOR FLOATS, GANGWAYS,  
AND LAUNCH RAMP  
DATUM: MLLW= 0.0  
ADJACENT PROPERTY OWNERS:  
1. ALASKA RAILROAD CORPORATION  
2. CITY OF WHITTIER  
3. STATE OF ALASKA

### VICINITY MAP AND PROJECT LOCATION

CITY OF WHITTIER  
PO BOX 608  
WHITTIER, ALASKA  
99693

### WHITTIER SMALL BOAT HARBOR IMPROVEMENTS

ON: PASSAGE CANAL  
AT: WHITTIER, ALASKA

OCTOBER 2006 SHEET **1** of **10**

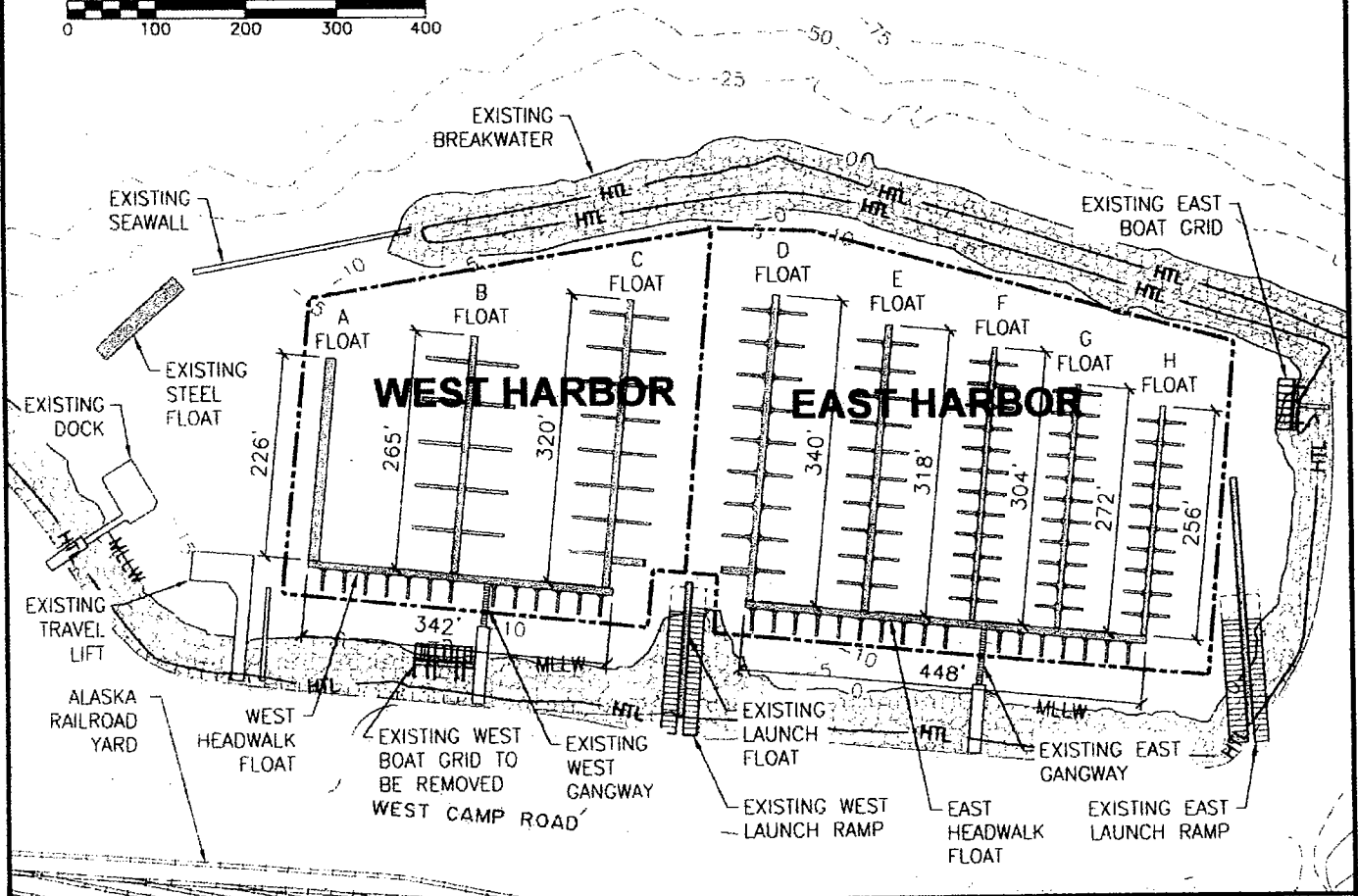
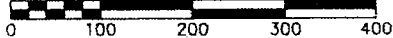
### TIDAL ELEVATIONS (FT)

EHW	18.7
HTL	15.8
MHW	12.3
MLLW	0.0

### EXISTING SLIP QUANTITIES

BOAT LENGTH (FT)	WEST HARBOR	EAST HARBOR	TOTAL
24 & LESS	26	166	192
25-30	-	40	40
31-32	-	36	36
33-40	32	-	32
41-48	20	-	20
49-70	10	-	10
TOTAL	88	242	330

SCALE IN FEET



PURPOSE:  
TO REPLACE THE EXISTING  
HARBOR FLOATS, GANGWAYS,  
AND LAUNCH RAMP  
DATUM: MLLW= 0.0  
ADJACENT PROPERTY OWNERS:  
1. ALASKA RAILROAD CORPORATION  
2. CITY OF WHITTIER  
3. STATE OF ALASKA

### EXISTING CONDITIONS

CITY OF WHITTIER  
PO BOX 608  
WHITTIER, ALASKA  
99693

### WHITTIER SMALL BOAT HARBOR IMPROVEMENTS

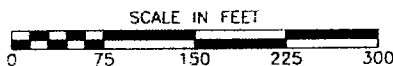
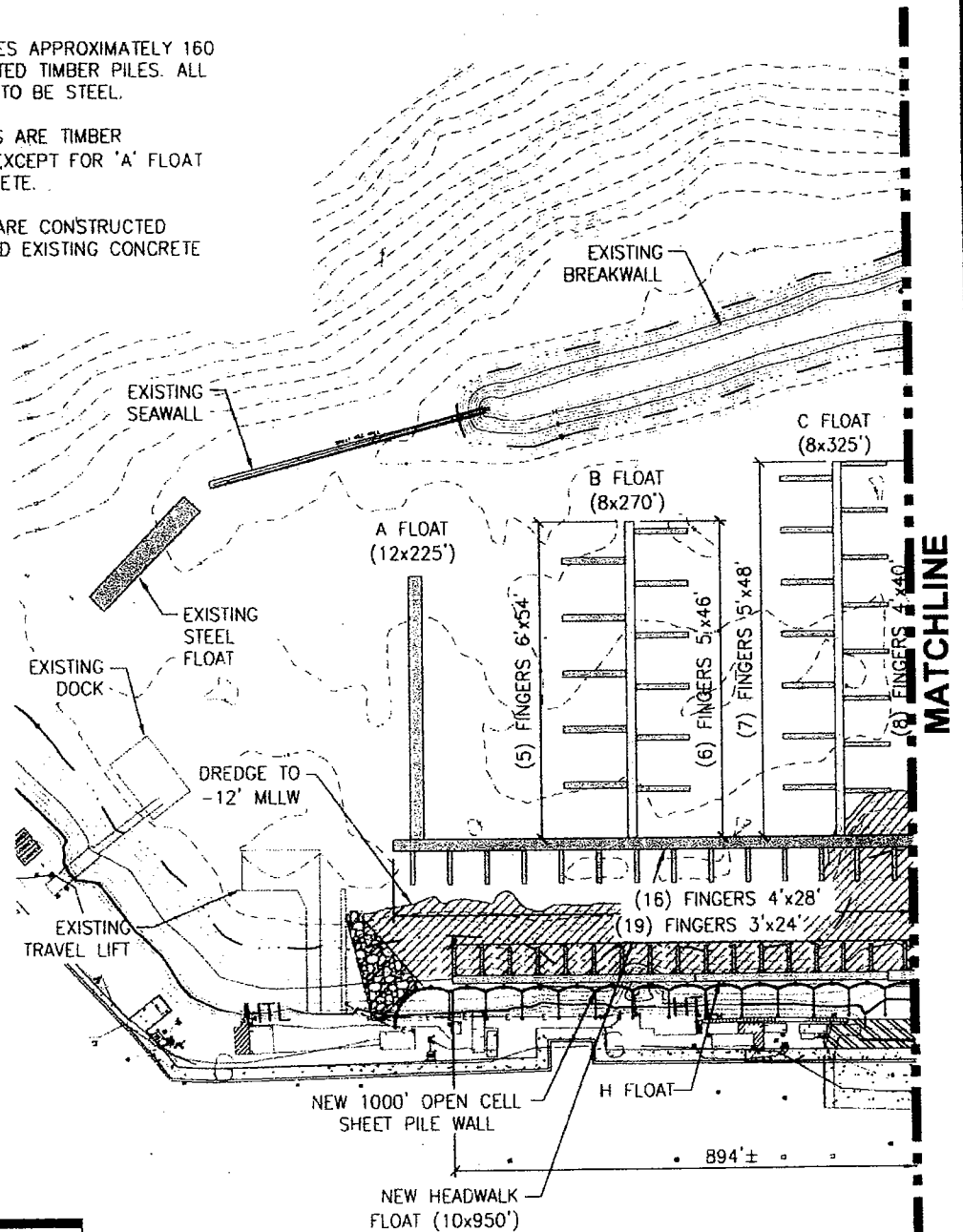
ON: PASSAGE CANAL  
AT: WHITTIER, ALASKA

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# NOTES:

1. PROJECT REMOVES APPROXIMATELY 160 CREOSOTE TREATED TIMBER PILES. ALL NEW PILES ARE TO BE STEEL.
2. ALL NEW FLOATS ARE TIMBER CONSTRUCTION EXCEPT FOR 'A' FLOAT WHICH IS CONCRETE.
3. H & J FLOATS ARE CONSTRUCTED FROM RENOVATED EXISTING CONCRETE FLOATS.

PROPOSED SLIP QUANTITIES	
BOAT LENGTH (FT)	TOTAL
26 & LESS	66
30	78
33	34
35	36
39	36
44	34
50	28
59	11
TOTAL	323



**PURPOSE:**  
TO REPLACE THE EXISTING HARBOR FLOATS, GANGWAYS, AND LAUNCH RAMP

**DATUM:** MLLW= 0.0

**ADJACENT PROPERTY OWNERS:**

1. ALASKA RAILROAD CORPORATION
2. CITY OF WHITTIER
3. STATE OF ALASKA

## PROPOSED SITE PLAN

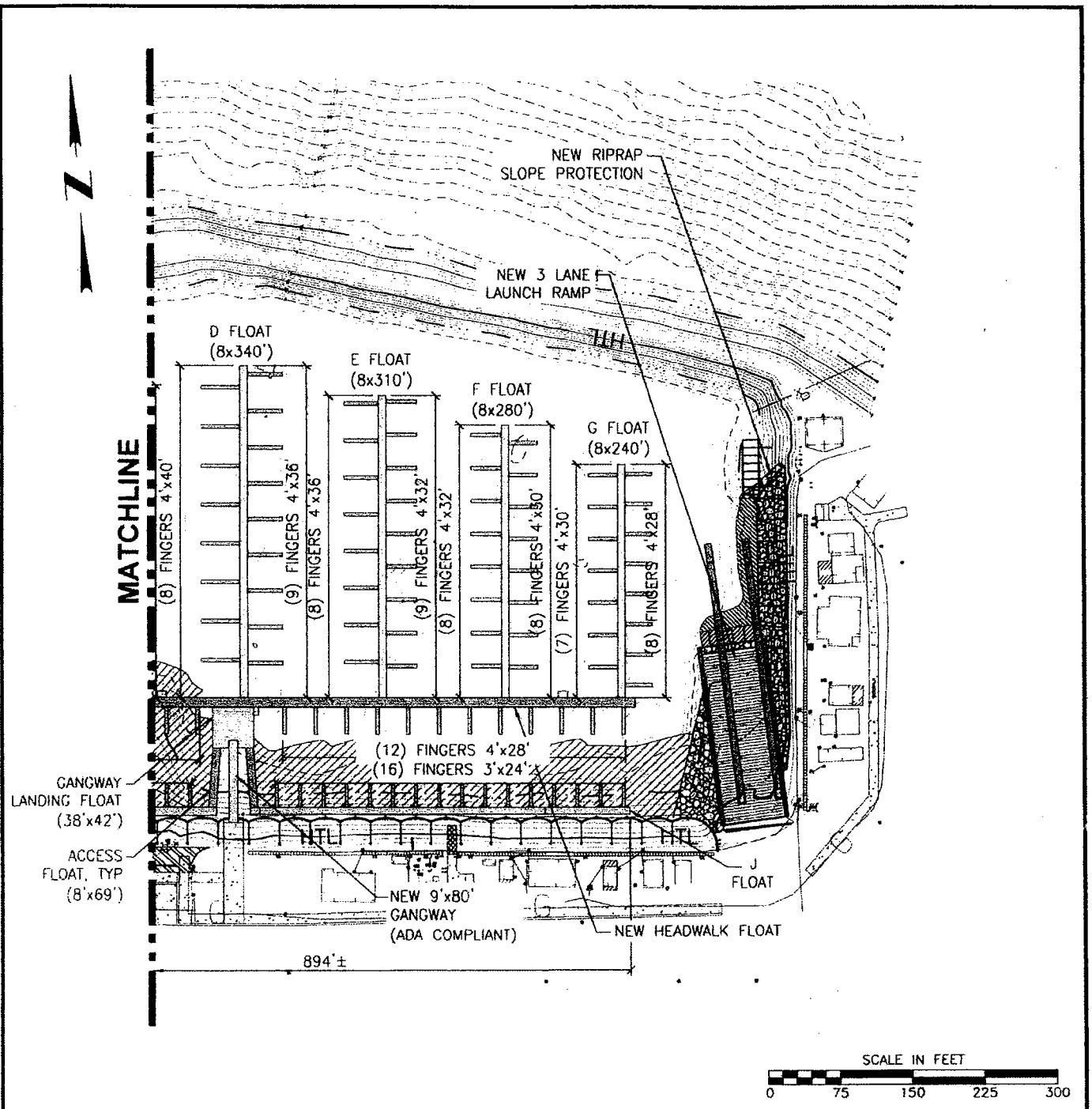
CITY OF WHITTIER  
PO BOX 608  
WHITTIER, ALASKA  
99693

## WHITTIER SMALL BOAT HARBOR IMPROVEMENTS

ON: PASSAGE CANAL  
AT: WHITTIER, ALASKA

OCTOBER 2006 SHEET 3 of 10

POA-1997-210-M



**PURPOSE:**  
TO REPLACE THE EXISTING  
HARBOR FLOATS, GANGWAYS,  
AND LAUNCH RAMP

**DATUM:** MLLW= 0.0

**ADJACENT PROPERTY OWNERS:**

1. ALASKA RAILROAD CORPORATION
2. CITY OF WHITTIER
3. STATE OF ALASKA

## **PROPOSED SITE PLAN**

CITY OF WHITTIER  
PO BOX 608  
WHITTIER, ALASKA  
99693

## **WHITTIER SMALL BOAT HARBOR IMPROVEMENTS**

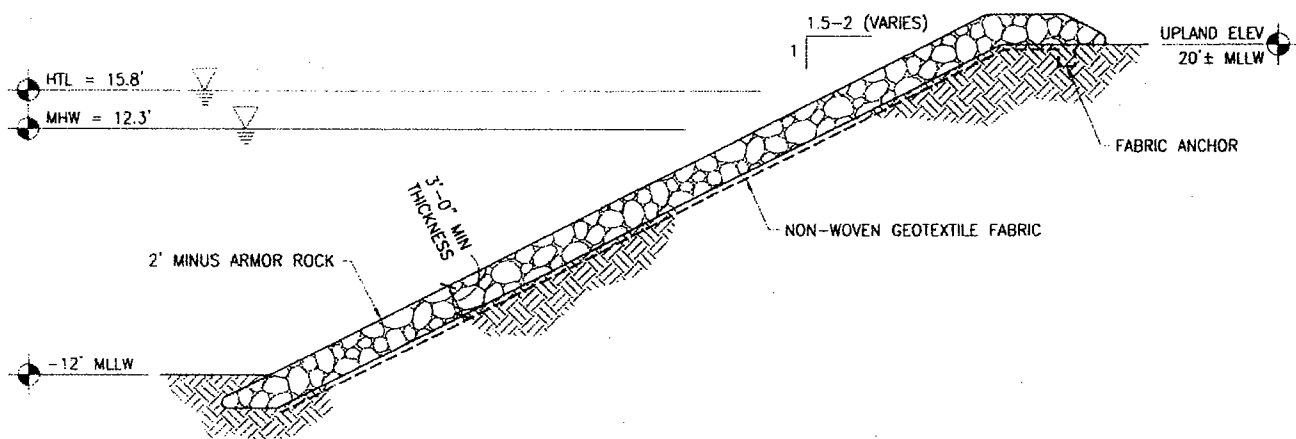
ON: PASSAGE CANAL  
AT: WHITTIER, ALASKA

OCTOBER 2006 SHEET **4** of **10**

POA-1997-210-M







### TYPICAL ARMOR ROCK SECTION

NTS

PURPOSE:  
TO REPLACE THE EXISTING  
HARBOR FLOATS, GANGWAYS,  
AND LAUNCH RAMP  
DATUM: MLLW= 0.0  
ADJACENT PROPERTY OWNERS:  
1. ALASKA RAILROAD CORPORATION  
2. CITY OF WHITTIER  
3. STATE OF ALASKA

### TYPICAL ARMOR ROCK SECTION

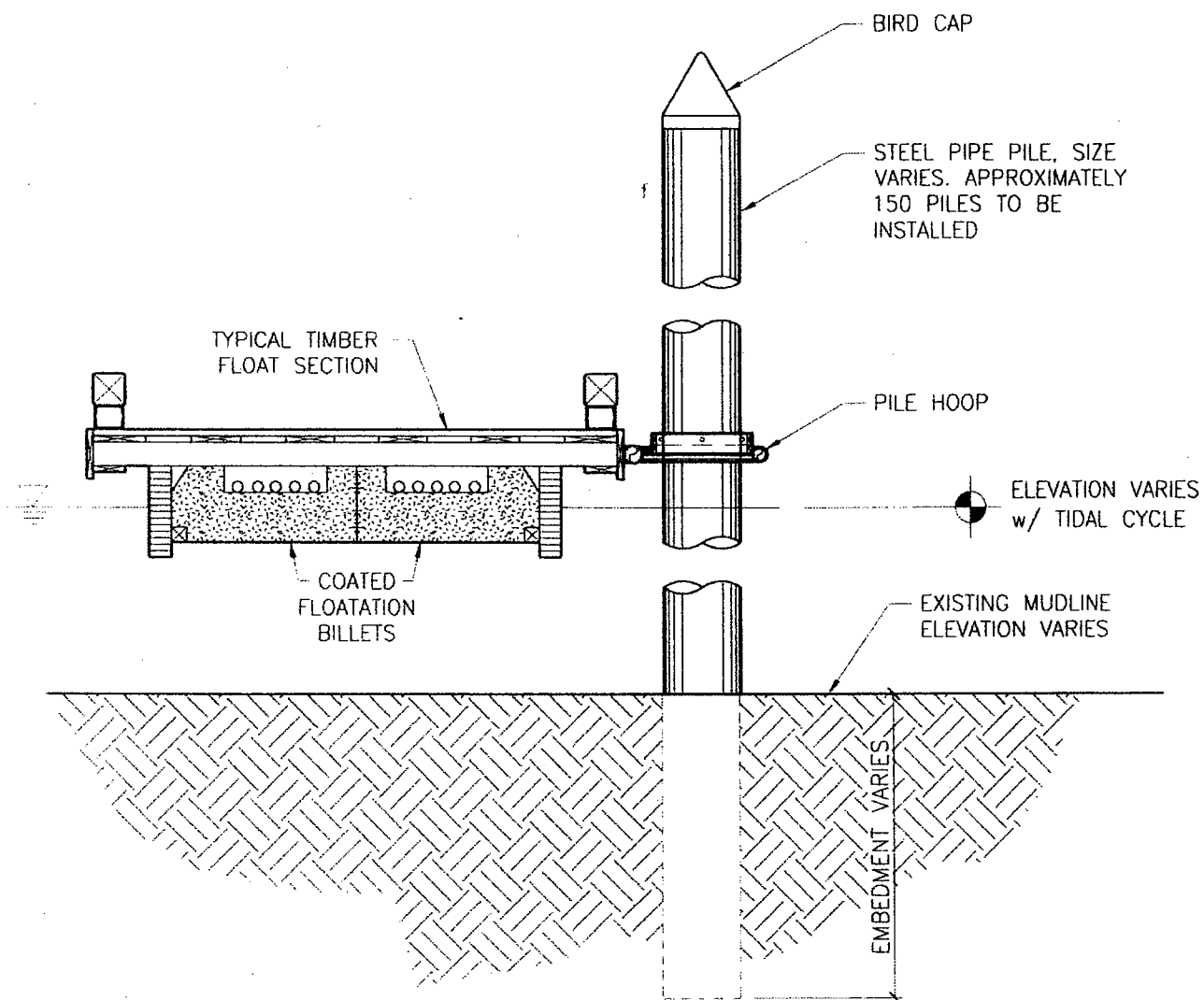
CITY OF WHITTIER  
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WHITTIER, ALASKA  
99693

### **WHITTIER SMALL BOAT HARBOR IMPROVEMENTS**

ON: PASSAGE CANAL  
AT: WHITTIER, ALASKA

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POA-1997-210-M



PURPOSE:  
TO REPLACE THE EXISTING  
HARBOR FLOATS, GANGWAYS,  
AND LAUNCH RAMP  
DATUM: MLLW= 0.0  
ADJACENT PROPERTY OWNERS:  
1. ALASKA RAILROAD CORPORATION  
2. CITY OF WHITTIER  
3. STATE OF ALASKA

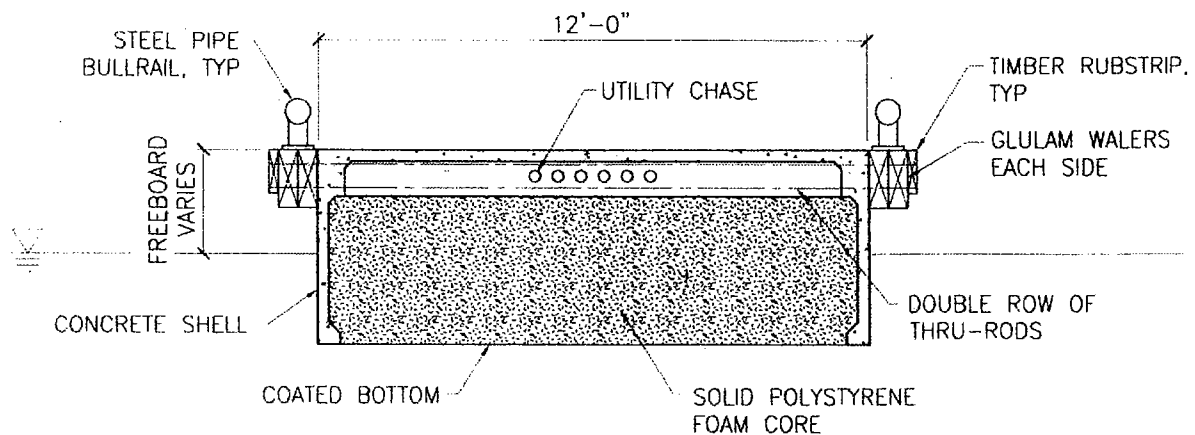
### **TYPICAL TIMBER FLOAT SECTION**

CITY OF WHITTIER  
PO BOX 608  
WHITTIER, ALASKA  
99693

### **WHITTIER SMALL BOAT HARBOR IMPROVEMENTS**

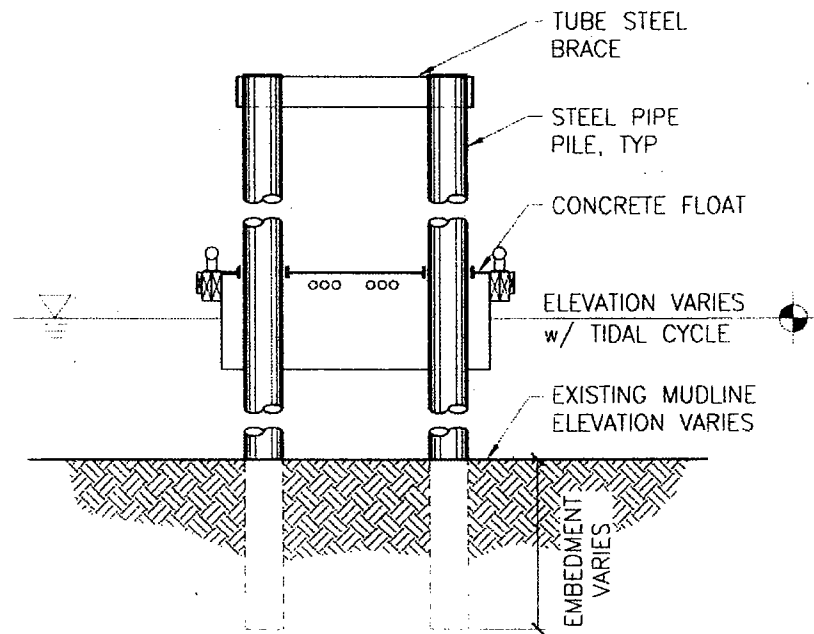
ON: PASSAGE CANAL  
AT: WHITTIER, ALASKA

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## **TYPICAL CONCRETE FLOAT SECTION**

('A' FLOAT ONLY)



## **'A' FLOAT PILE FRAME**

### **PURPOSE:**

TO REPLACE THE EXISTING HARBOR FLOATS, GANGWAYS, AND LAUNCH RAMP

DATUM: MLLW= 0.0

### **ADJACENT PROPERTY OWNERS:**

1. ALASKA RAILROAD CORPORATION
2. CITY OF WHITTIER
3. STATE OF ALASKA

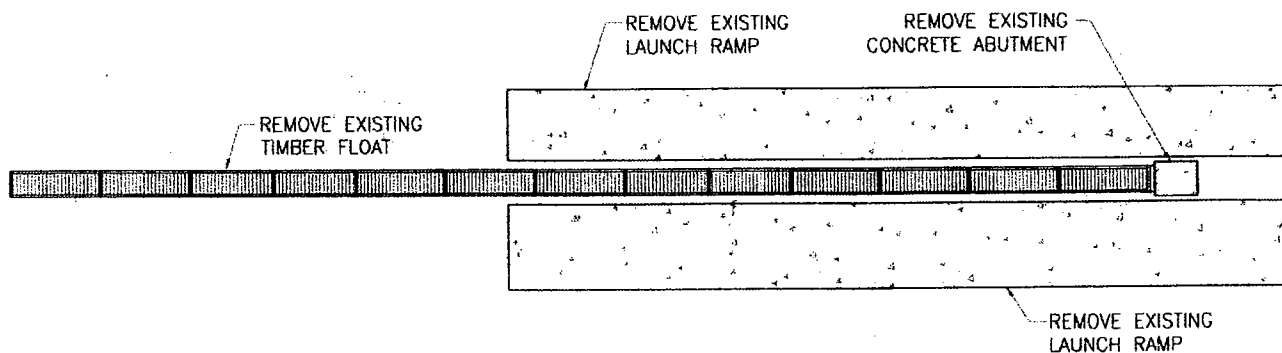
### **'A' FLOAT SECTION**

CITY OF WHITTIER  
PO BOX 608  
WHITTIER, ALASKA  
99693

### **WHITTIER SMALL BOAT HARBOR IMPROVEMENTS**

ON: PASSAGE CANAL  
AT: WHITTIER, ALASKA

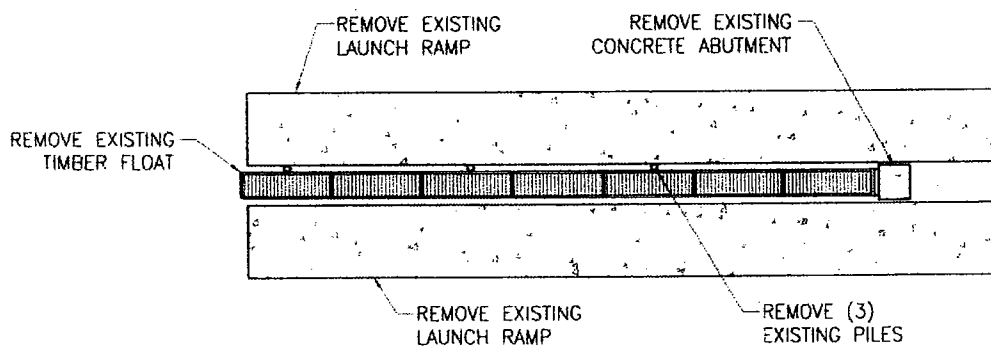
OCTOBER 2006 SHEET **8** of **10**



### **EXISTING EAST LAUNCH RAMP PLAN**

NTS

(TO BE REPLACED w/ 3-LANE RAMP)



### **EXISTING WEST LAUNCH RAMP PLAN**

NTS

(TO BE PERMANENTLY REMOVED)

PURPOSE:  
TO REPLACE THE EXISTING  
HARBOR FLOATS, GANGWAYS,  
AND LAUNCH RAMP  
DATUM: MLLW= 0.0  
ADJACENT PROPERTY OWNERS:  
1. ALASKA RAILROAD CORPORATION  
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3. STATE OF ALASKA

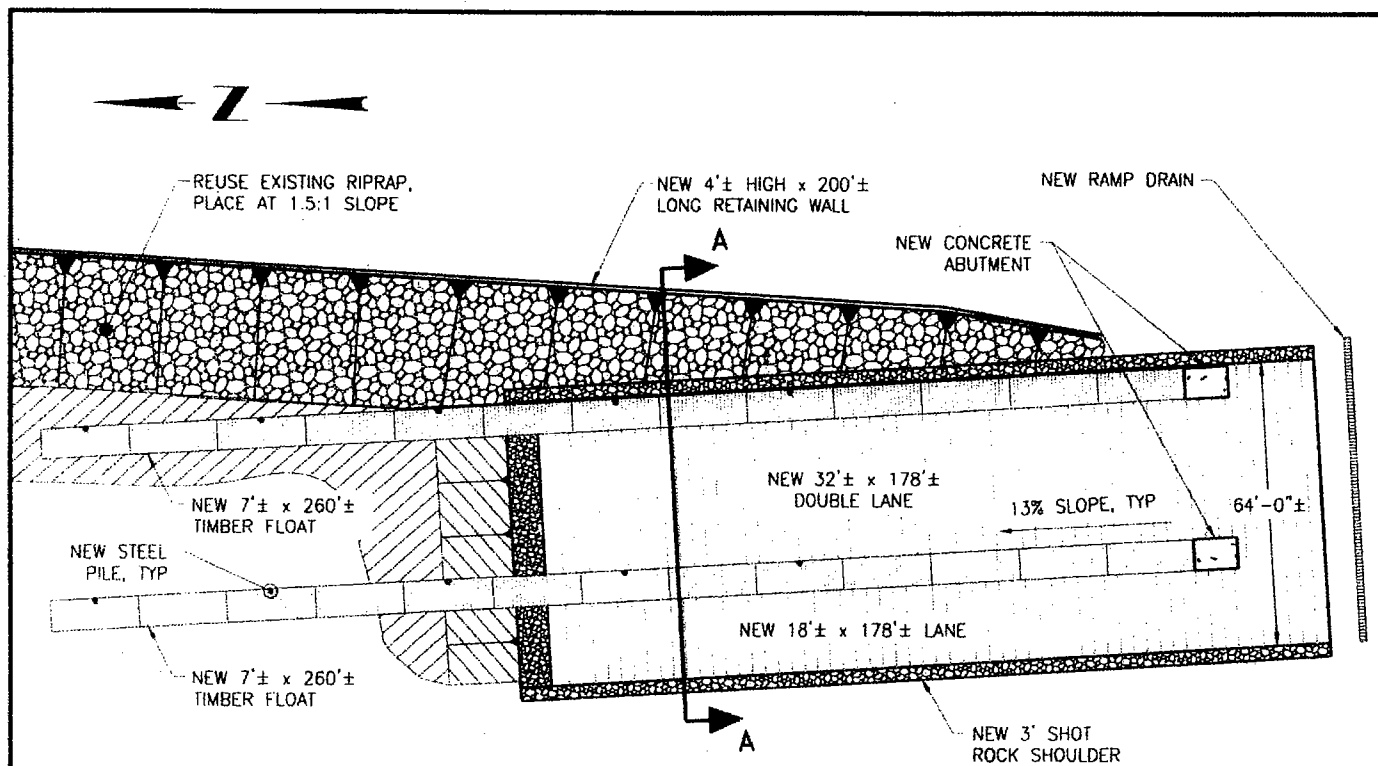
### **EXISTING EAST LAUNCH RAMPS**

CITY OF WHITTIER  
PO BOX 608  
WHITTIER, ALASKA  
99693

### **WHITTIER SMALL BOAT HARBOR IMPROVEMENTS**

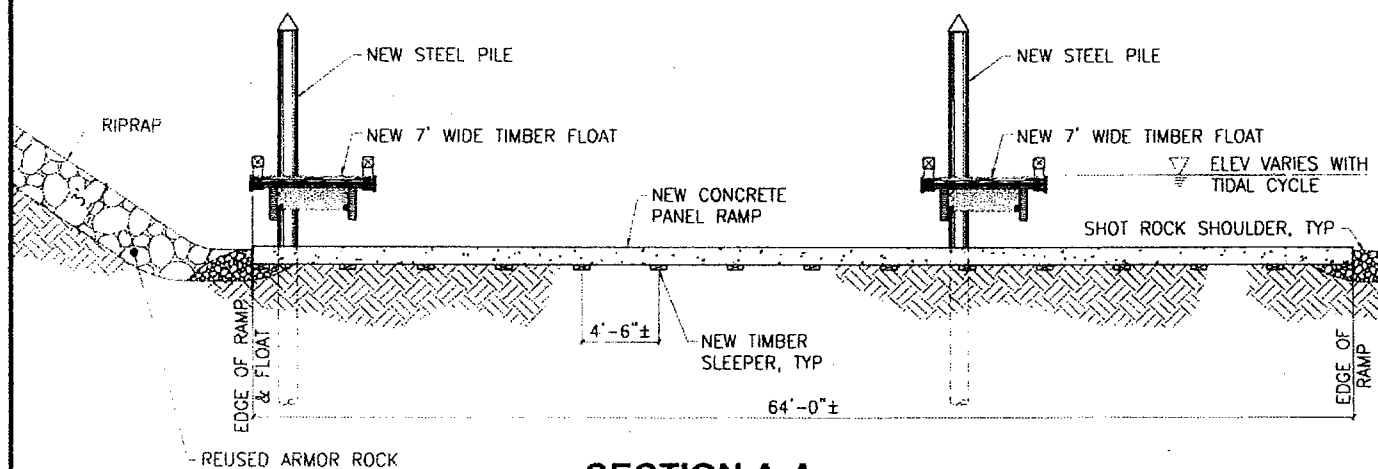
ON: PASSAGE CANAL  
AT: WHITTIER, ALASKA

OCTOBER 2006 SHEET **9** of **10**



### NEW 3 LANE LAUNCH RAMP PLAN

NTS



### SECTION A-A

NTS

PURPOSE:  
TO REPLACE THE EXISTING  
HARBOR FLOATS, GANGWAYS,  
AND LAUNCH RAMP

DATUM: MLLW= 0.0

ADJACENT PROPERTY OWNERS:

1. ALASKA RAILROAD CORPORATION
2. CITY OF WHITTIER
3. STATE OF ALASKA

### NEW LAUNCH RAMP PLAN & SECTION

CITY OF WHITTIER  
PO BOX 608  
WHITTIER, ALASKA  
99693

### WHITTIER SMALL BOAT HARBOR IMPROVEMENTS

ON: PASSAGE CANAL  
AT: WHITTIER, ALASKA

OCTOBER 2006 SHEET **10** of **10**

# STATE OF ALASKA

OFFICE OF THE GOVERNOR

**DEPARTMENT OF NATURAL RESOURCES  
OFFICE OF PROJECT MANAGEMENT AND PERMITTING**

OFFICE OF PROJECT MANAGEMENT AND PERMITTING  
302 GOLD STREET, SUITE 202  
JUNEAU, ALASKA 99801-1127  
PHONE: (907) 465-3562/FAX: (907) 465-3075

**NOTICE OF APPLICATION  
FOR  
CERTIFICATION OF CONSISTENCY WITH THE  
ALASKA COASTAL MANAGEMENT PROGRAM**

Notice is hereby given that a request is being filed with the Office of Project Management and Permitting for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No.: **POA-1997-210-M, Passage Canal**, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

This project is being reviewed for consistency with the Alaska Coastal Management Program. Written comments about the consistency of the project with the applicable ACMP statewide standards and district policies must be submitted to the Office of Project Management and Permitting. For information about this consistency review, contact OPMP at (907) 269-7470 or (907) 465-3562, or visit the ACMP web site at <http://www.gov.state.ak.us/gdc/Projects/projects.html>.

# STATE OF ALASKA

OFFICE OF THE GOVERNOR

## DEPT. OF ENVIRONMENTAL CONSERVATION

### DIVISION OF WATER

401 Certification Program

Non-Point Source Water Pollution Control Program

### NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No.: POA-1997-210-M, Passage Canal, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify that there is reasonable assurance that the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation  
WQM/401 Certification  
410 Willoughby Avenue  
Juneau, Alaska 99801-1795  
Telephone: (907) 465-5321  
FAX: (907) 465-5274